

REMARKS

Claims 1-8, 10-23, 25-38, and 40-107 were pending. No claims have been amended, added, or cancelled. Therefore claims 1-8, 10-23, 25-38, and 40-107 remain pending in the application subsequent entry of the present amendment.

35 U.S.C. § 103 Rejections in view of Lee, et al.

In the present Office Action, claims 1-7, 15-22, 30-37, 45-52 and 59 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,958,992 (hereinafter “Lee”) in view of U.S. Patent No. 6,822,957 (hereinafter “Schuster”). In addition, dependent claims 8, 10-14, 23, 25-29, 38, 40-44, 53-54 and 56-58 stand rejected under 35 U.S.C §103(a) as being unpatentable over Lee and Schuster in further view of U.S. Patent No. 6,577,642 (hereinafter “Fijolek”). Applicant respectfully traverses these rejections and requests reconsideration in view of the following comments.

A prima facie case of obviousness of a claimed invention is not established unless all the claim limitations are taught or suggested by the cited prior art. Applicant respectfully submits not all features of the presently claimed invention are disclosed or suggested by the cited references, taken either alone or in combination.

For example, claim 1 recites a method that includes:

“receiving an identifier from the IP telephone;
determining if a MAC ID for the IP telephone is valid;
if the MAC ID is determined to be valid, determining if the identifier is valid;
if the identifier is valid, assigning a range of port numbers to the IP telephone
based on the identifier, wherein the IP telephone is operable to use at least
a subset of the range of port numbers to send or receive IP
communications.” (emphasis added).

In paragraph 6 of the present Office Action, it is suggested that Lee discloses the above highlighted features. In particular it is stated that Lee discloses

“receiving an identifier from the IP telephone (Fig. 3, element 320 Service Provider ID, col. 3, lines 23 - 32); determining if the identifier is valid (Fig. 3, col. 3, lines 33 - 39); determining if a MAC ID for the IP telephone is valid (Fig. 3, col. 3, lines 33 - 39); if the MAC ID is determined to be valid, determining if the identifier is valid (Fig. 4, col. 4, lines 12 - 24, col. 6, lines 14 - 26).”

However, Applicant disagrees. In the rejection, it is stated Lee discloses (cited disclosures are reproduced for convenience):

“receiving an identifier from the IP telephone (Fig. 3, element 320 Service Provider ID, col. 3, lines 23 - 32);

“The IP phone 102 downloads 316 and executes the software to establish the IP socket to the IP phone service provider 202. The IP phone 102 then sends a request 318 for registration to the IP phone service provider 202, which includes its MAC address and set type. The IP phone service provider 202 then sends an Open Port request 320 with the MAC address, the set type, and the IP address (associated information) to the set registration process 204 for registration of the IP phone 102.” (Lee, col. 3, lines 33-39).

In the above reproduced portion of the rejection, the rejection specifically calls out “FIG. 3, element, 320, Service Provider ID” as corresponding to the identifier received from the IP telephone. However, the Service Provider ID is not received from the IP telephone. Rather, the Service Provider ID is provided by the IP Phone Service Provider 202 (shown to be part of IP Phone Switch 100 in FIG. 2) in the Open Port request 320 to the set registration process 204. Therefore, if it is suggested the Service Provider ID is equivalent to the recited identifier, then Applicant submits it has not been shown that the reference discloses “receiving an identifier from the IP telephone” as recited and the suggested combination does not disclose all the features of the claim as

suggested. Accordingly, a prima facie case of obviousness has not been established for at least these reasons.

In addition to the above, the rejection continues by suggesting Lee discloses:

determining if the identifier is valid (Fig. 3, col. 3, lines 33 - 39)."

The cited disclosure of Lee is reproduced below:

"The set registration process 204 upon receiving the Open Port request 320 checks the information against its lookup table of data shared with OAM 206 as shown at 322. In the present example of an unregistered IP phone 102, as there is no match 324 for the MAC address, the set registration process 204 sends a message to request a PIN 326, 328 from the user of the IP phone 102." (Lee, col. 3, lines 33-39).

It is first noted that the claim language is as follows: "determining if a MAC ID for the IP telephone is valid; if the MAC ID is determined to be valid, determining if the identifier is valid." Therefore, the language "determining if the identifier is valid" represents part of a conditional clause – "if the MAC ID is determined to be valid, determining if the identifier is valid." This clarification aside, Applicant submits there is nothing in the above cited disclosure regarding the Service Provider ID being determined to be valid. Further, this disclosure of Lee nowhere mentions the Service Provider ID. In contrast, Lee describes the use of a lookup table to determine whether there is a match for a MAC address. If in this disclosure the examiner is equating the determination as to whether there is a match for the MAC address with the features "determining if the identifier is valid", then the examiner would have to equate the MAC address with the recited identifier. However, if the rejection seeks to equate the MAC address with the recited identifier, then the rejection also fails.

First, it would make no sense to read the claim such that the MAC ID of Lee is the recited identifier. Given such an interpretation, the claim would read:

receiving a MAC ID from the IP telephone;
determining if the MAC ID for the IP telephone is valid;
if the MAC ID is determined to be valid, determining if the MAC ID is valid;

Clearly, the recited MAC ID and identifier are distinct identifiers. As already noted, if the Service Provider ID is equated with the recited identifier, then the rejection fails for at least the above reasons. On the other hand, if the rejection seeks to equate the MAC ID with the recited identifier, then the rejection still fails – for at least the reason that the claim language does not permit such an interpretation. In addition, on page 3 of the present Office Action, it is suggested Lee discloses:

“determining if a MAC ID for the IP telephone is valid (Fig. 3, col. 3, lines 33 - 39); if the MAC ID is determined to be valid, determining if the identifier is valid (Fig. 4, col. 4, lines 12 - 24, col. 6, lines 14 - 26).”

Here the same portion of Lee is cited as was discussed above. In particular, determining whether there is a match in the lookup table for the MAC ID is cited as corresponding to the recited features “determining if a MAC ID for the IP telephone is valid”. The rejection then continues by citing Fig. 4, col. 4, lines 12 - 24, col. 6, lines 14 – 26 of Lee for the recited features “if the MAC ID is determined to be valid, determining if the identifier is valid.” However, Applicant submits the features are not found in the cited disclosures as suggested. For example, concerning the features “if the MAC ID is determined to be valid, determining if the identifier is valid”, the first cited portion of Lee (Fig. 4, col. 4, lines 12 - 24) simply describes registration of a previously registered IP phone 102. This description is given in the following:

“Once booted-up, the IP phone service provider 202 sends an Open Port request 320 with the MAC address, the set type, and the IP address (associated information) to the set registration process 204 for registration of the IP phone 102.

Upon receiving the Open Port request 320, the set registration process 204 checks the information against its lookup table of data shared with OAM 206 as shown at 322. In the present example, where the IP phone 102 has been previously registered, there is a match for the MAC address in the lookup table as shown at 410. To complete the registration, the processes 338 to 346, as previously described in reference to FIG. 3, are carried out.” (Lee, col. 4, lines 12-24).

In the disclosure above, Lee describes “where the IP phone 102 has been previously registered, there is a match for the MAC address in the lookup table.” It would appear the examiner is equating looking for, and finding, a MAC address match in the lookup table with the recited features “if the MAC ID for the IP telephone is determined to be valid.” However, even if, for the sake of argument, one were to accept such an equivalence, there is no disclosure of a subsequent conditional determination that an identifier sent from the IP telephone is valid (i.e., the features “if the MAC ID is determined to be valid, determining if the identifier is valid”) – much less a subsequent conditional determination that the identifier sent from the IP telephone is valid. Rather, Lee simply states that processes 338 to 346 are carried out after finding the MAC address in the lookup table. These processes are described in the following:

“Specifically, the set registration process 204 sends an Open Port Ack 338 (Acknowledgement) to the IP phone service provider 202, which sends a registration acknowledgement 340 to the IP phone 102. Upon receipt of the registration acknowledgement 340, the IP phone 102 sends a Report Set ID (set type) 342 to the OAM 206.

The OAM 206 and the set registration process 204 then downloads strings and prompts 344 desired for operation of the IP phone 102 in the phone system and, at 346, further updates the IP phone display with any information desired to be displayed by the IP phone 102.” (Lee, col. 3 line 60 to col. 4 line 3). (emphasis added).

As can be seen above, acknowledgments are transferred back and forth, a Report Set ID 342 is sent from the IP Phone 102 to the OAM 206, and then downloading of information, such as strings and prompts, for operation of the IP Phone 102 is performed. It is noted that the above nowhere discloses determining if the Report Set ID 342 is valid. Second, claim 1 recites “receiving an identifier from the IP telephone” prior to the recited features “if the MAC ID is determined to be valid, determining if the identifier is valid.” In fact, the present Office Action uses the separate prior description of the registration of an *unregistered* IP phone 102 to suggest that Lee discloses the features “receiving an identifier from the IP telephone”. Therefore, by suggesting Lee discloses the features of claim 1 in the descriptions of two separate registrations, it is not clear in the Examiner’s comments as to what value is being suggested as being the identifier in Lee that is sent by the IP telephone. As shown above, in the description of the registration of a previously registered IP telephone, an identifier sent by the IP telephone is the Report Set ID 342 which is not disclosed anywhere to be determined to be valid at all - let alone determined to be valid “if the MAC ID is determined to be valid” as recited in the claim. For example, in the description of the registration of an unregistered IP telephone 102 in Lee, an identifier sent by the IP telephone in a request 318 is the MAC address, and not the Report Set ID 342, as disclosed by Lee in the following:

“The IP phone 102 downloads 316 and executes the software to establish the IP socket to the IP phone service provider 202. The IP phone 102 then sends a request 318 for registration to the IP phone service provider 202, which includes its MAC address and set type. The IP phone service provider 202 then sends an Open Port request 320 with the MAC address, the set type, and the IP address (associated information) to the set registration process 204 for registration of the IP phone 102.” (Lee, col. 3 lines 23-32) (emphasis added)

Still further, regardless of whether the identifier received from the IP telephone in Lee is the MAC address or the Report Set ID 342, neither value is conditionally determined to be valid as recited wherein the claim reads, “if the MAC ID is determined to be valid, determining if the identifier is valid.” Therefore, Lee nowhere discloses at least the features “if the MAC ID is determined to be valid, determining if the identifier is

valid.” For at least the above reasons, claim 1 is patently distinct from the cited references taken alone or in combination.

In addition to the above, the rejection further cites column 6 of Lee is support of the rejection. In particular, it is stated that Lee discloses:

“determining if a MAC ID for the IP telephone is valid (Fig. 3, col. 3, lines 33 - 39); if the MAC ID is determined to be valid, determining if the identifier is valid (Fig. 4, col. 4, lines 12 - 24, col. 6, lines 14 - 26).”

Column 6, lines 14-26 of Lee are as follows:

“A number of further alternatives are described below. A user may specify a DN, at will, to associate with a PIN, which as previously noted has a separate access code. Provided the specified DN is not being used, the DN can be associated with the user. A user may be assigned several PINs for the same directory number where each PIN has a different purpose, for example, a PIN for an unsecured IP phone, which expires after one use, and another PIN for a different directory number. A user may have a number of different directory numbers associated with one IP phone. A PIN may also associate a DN to an IP phone temporarily, such as 24 hours, for a user to receive calls for the DN wherever he or she may be temporarily located.”

However, Applicant finds nothing in the above disclosure to support the rejection of the features “if the MAC ID is determined to be valid, determining if the identifier is valid.” This disclosure simply describes the association of PINs to DNs.

For at least the above reasons, Applicant submits the combination of references do not disclose or suggest all the features of claim 1. Accordingly, a prima facie case of obviousness has not been established. As independent claims 31, and 46 include features similar to claim 1, claims 31, and 46 are patentably distinguished from the cited references for at least reasons similar to those discussed above. Claim 16 is addressed on

page 10 of the present Office Action in a manner similar to that of claims 1, 31 and 46. As independent claim 16 includes features similar to claim 1, claim 16 is patentably distinguished from the cited references for at least reasons similar to those discussed above. Each of the dependent claims are patentably distinguishable for at least the reasons give above in relation to the independent claims upon which they depend.

35 U.S.C. § 102 Rejections and § 103 Rejections in view of Edholm, et al.

Claims 60, 68, 76, 100, 81, 105, 84, and 92 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,772,210 (hereinafter “Edholm”). In addition, claims 61-66, 69-74, 77-80, 82, 85-90, 93-98, 101-104, and 106 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Edholm in view of U.S. Patent Publication No. 2002/0093915 (hereinafter “Larson”). Further, claims 67, 75, 83, 91, 99 and 107 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Edholm in view of Larson, and in further view of U.S. Patent No. 6,882,957. Applicant respectfully traverses these rejections and requests reconsideration in view of the following comments.

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicant submits each of independent claims 60, 68, 76, 100, 81, 105, 84, and 92 recite features neither disclosed nor suggested by Edholm.

For example, claim 60 recites a system including a service gateway which is configured to:

“receive the first data packet with the first private IP address; and perform network address translation (NAT) on the first data packet with a second private IP address, the second private IP address being assigned by a service provider.”

In the rejection, it is suggested that Edholm discloses:

“[T]he SG is configured to: receive the first data packet with the first private IP address (Fig. 4, element 404, col. 6, lines 57 - 60); and perform network address translation (NAT) on the first data packet with a second private IP address, the second private IP address being assigned by a service provider (col. 4, lines 56 - 66, col. 6, line 67, col. 7, lines 1-12.” (Office Action, pages 16-17).

However, Applicant disagrees and submits Edholm does not disclose or suggest at least the features “perform network address translation (NAT) on the first data packet with a second private IP address, the second private IP address being assigned by a service provider.” In support of the rejection, the following disclosures of Edholm are cited:

“The calling VoIP device typically obtains the (public) network address or address/port number pair for the called VoIP device directly or indirectly from the gateway 106. Specifically, a request may be sent to the gateway 106 requesting the (public) network address for the called VoIP device. The request may be sent by the gatekeeper 112, in which case the gatekeeper 112 obtains the (public) network address for the called VoIP device from the gateway 106 and provides the (public) network address for the called VoIP device to the calling VoIP device, typically along with the gateway address.” (Edholm, col. 4, lines 56-66).

The logic selects a public address for the private VoIP device 110 from an address pool, in block 412, and optionally selects a port number (socket) for the private VoIP device 110, in block 414. The logic installs an address translation entry in the address mapping database mapping the private address of the private VoIP device 110 to the public address or public address/port number pair for the private VoIP device 110, in block 416. The logic determines the public address for the public VoIP device 102, in block 418, for example, based upon

address mapping information contained in an address mapping database. The logic returns the public address for the public VoIP device, in block 420. The logic 400 terminates in block 499. (Edholm, col. 6, line 67 – col. 7, line 12).

As seen from the above, there is no disclosure of performing network address translation with a second private IP address. In contrast, the disclosure clearly describes “mapping the private address of the private VoIP device 110 to the public address” Therefore, even were one to assume the disclosed private address and public address were a private IP address and public IP address (which Applicant does not admit), there is no disclosure of a translation with a second private IP address as recited. Accordingly, Applicant submits claim 60 is not anticipated by Edholm and withdrawal of the rejection is requested. Additionally, each of independent claims 68, 76, and 81 include features similar to that of claim 60 and are patentably distinguishable for at least reasons similar to those discussed above. Applicant notes that in the rejection on page 17, claim 76 is grouped with claim 100, and claim 81 is grouped with claim 105, even though these claims have dissimilar features. Applicant assumes this to be a typographical error. Nevertheless, the above traversals remain for the reasons given.

In addition, Applicant does not agree that Edholm discloses the features “receive the first data packet with the first private IP address” as recited in claim 60. In contrast, Edholm discloses:

“FIG. 4 is a logic flow diagram showing exemplary logic 400 for establishing the VoIP connection by the gateway 106 when the VoIP connection is initiated by the private VoIP device 110. Beginning at block 402, and upon receiving a request for a VoIP connection initiated by the private VoIP device 110, in block 404, the logic determines the called VoIP device, in block 406, for example, based upon the phone number of the called VoIP device. Upon determining that the called VoIP device is the public VoIP device 102, in block 408, the logic determines the private address of the private VoIP device 110, in block 410, for example, based upon address mapping information contained in an address mapping database.” (Edholm, col. 6, lines 55-67).

In the above disclosure it can be seen that a request for a VoIP connection initiated by the private VoIP device 110 is received. Subsequent to determining that the called device is a public VoIP device, “the logic determines the private address of the private VoIP device 110, in block 410, for example, based upon address mapping information contained in an address mapping database.” This clearly suggests the private address of the private VoIP device is not received from the VoIP device. Rather, the private address is determined via an address mapping database. Accordingly, Edholm does not anticipate claim 60 for at least these further reasons. Each of claims 68, 76, and 81 are similarly distinguishable for at least these further reasons. Similar to claims 60, 68, 76 and 81, each of independent claims 84, 92, 100 and 105 recite features regarding conveyance or receipt of a data packet from an IP device with a private address. Accordingly, Edholm does not anticipate claims 84, 92, 100, and 105 for at least these reasons.

As each of the dependent claims includes the features of the independent claims upon which they depend, each of the dependent claim are patentably distinguishable for at least the reasons give above in relation to the independent claims upon which they depend. Accordingly, while the dependent claims recite additional patentably distinguishable features, further discussion of these claims is not believed necessary at this time.

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5686-00300/RDR.

Respectfully submitted,

/ Rory D. Rankin /

Rory D. Rankin

Reg. No. 47,884

ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin,
Kowert & Goetzel PC
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800
Date: March 23, 2009